

REMARKS

Claims 13-32 are pending in this application. By this Amendment, claims 13, 14, and 16-31 have been amended. No new matter has been added. Support for amended claim 13, can be found, for example, on page 4, lines 18-22. Reexamination and reconsideration of the application are respectfully requested.

In items 2-8 on pages 2-7 of the Office Action, claim 13 is rejected under 35 U.S.C. §102(b) as being anticipated by Park (JP 2001-248555); claims 14-17, 19, 20, 22-24, 26, 27 and 29 are rejected under 35 U.S.C. §103(a) as being unpatentable over Park in view of Tarleton (U.S. Patent No. 2,141,053); claims 18, 21, 25, 28, 30 and 31 are rejected under 35 U.S.C. §103(a) as being unpatentable over Park in view of Tarleton and Suzuki et al. (U.S. Patent No. 3,664,771); claim 32 is rejected under 35 U.S.C. §103(a) as being unpatentable over Park in view of Tarleton and Suzuki et al.

With exemplary reference to present drawing Figures 1 and 2, independent claim 13 sets forth a hermetically sealed electrically driven compressor comprising: a compressor element 103 that is elastically supported in an enclosed container 101; a cup-shaped stopper 106 that is fixed to an inner upper part of the enclosed container 101, the cup-shaped stopper 106 has a convex linear protrusion 106A that extends inwardly from an inner peripheral surface of the cup-shaped stopper 106; a crankshaft 105 that is associated with the compressor element 103, with an upper end portion of the crankshaft 105 extending into the cup-shaped stopper 106, and being spaced from the inner peripheral surface of the cup-shaped stopper 106 with no structure existing between the upper end portion and the inner peripheral surface, such that said upper end portion of said crank shaft is arranged to contact said convex linear protrusion and said inner peripheral surface upon oscillation of said compressor element; and a motor element 104 for driving the compressor element 103.

Thus, claim 13 now specifically requires a cup-shaped stopper 106 that has a convex linear protrusion. Park cannot reasonably be considered to teach, or to have suggested this feature.

The Office Action, on page 2, asserts that the crankshaft stopper 50 corresponds to the claimed cup-shaped stopper and that the crankshaft stopper 50 includes a curved protrusion. In

particular, the Office Action asserts that the crankshaft stopper 50 has a curved protrusion 60 that extends inwardly from an inner peripheral surface, as defined by the surface formed on the inside of outer vertical wall spatially located between elements 60 and 61 of Park. Applicants note that Examiner Weinstein reaffirmed these assertions during the April 3, 2008 telephone interview. Despite these assertions, Applicants submit that the alleged protrusion of Park is not formed so as to be a convex linear protrusion, and the alleged protrusion is not configured to contact the crankshaft 23 of Park. On the contrary, the alleged protrusion 60 of Park as identified in the Office Action is a straight member, i.e., nonconvex member, that extends from a vertical wall that is formed between portions 60 and 61. Furthermore, as can be seen in Figure 2 of Park, the crankshaft 23 of Park is not arranged to contact the alleged protrusion 60 of Park. For at least these reasons, Park cannot reasonably be considered to disclose each and every limitation of independent claim 13.

Additionally, Applicants submit that the combination of Park and Tarleton used in rejecting claims 14-17, 19, 20, 22-24, 26, 27 and 29 is unreasonable. For example, in rejecting these claims, the Office Action, on pages 3 and 4, concedes that Park fails to disclose a curved protrusion as variously recited in these claims. Nevertheless, the Office Action asserts that Tarleton remedies these deficiencies of Park. As support for this assertion the Examiner includes a copy of Figure 4 of Tarleton on page 7 of the Office Action, and identifies a portion of the member 88 as being a curved protrusion (Examiner comment #7). The Office Action then asserts that it would have been obvious to one of ordinary skill in the art to modify a stopper to include an apex and flanks extending along an axial direction of a crankshaft. Applicants respectfully disagree with these assertions. The member 88 of Tarleton acts as a shield to keep lubricant away from the valve 66 (see, e.g., page 2, left side, lines 42-54). Importantly, as can be seen in Figures 1-4 of Tarleton, the member 88 is positioned entirely outside of socket member 46 (socket member 46 being a stopper for shaft 44). In this regard, the member 88 of Tarleton is not part of or related in any manner to a crankshaft stopper. As such, it would not have been obvious to one of ordinary skill in the art to modify a crankshaft stopper to include the protrusion member 88 of Tarleton, that is not part of or related in any manner to a crankshaft stopper.

Accordingly, for at least this reason, the rejection of the claims over the combination of Park and Tarleton is unreasonable.

Applicants also submit that none of the other variously applied references remedy the deficiencies of Park. Thus, it is respectfully submitted that claim 13 is clearly allowable over the prior art of record. Further, claims 14-32 also are allowable by virtue of their dependencies.

In view of the foregoing, it is respectfully submitted that the present application is in condition for allowance and an early Notice of Allowance is earnestly solicited.

If after reviewing this Amendment, the Examiner believes that any issues remain which must be resolved before the application can be passed to issue, the Examiner is invited to contact the Applicants' undersigned representative by telephone to resolve such issues.

Respectfully submitted,

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